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S/1995/765
5 September 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 SEPTEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft for purposes of reconnaissance and provocation continued over the period 21 to 31 August 1995.

21 August 1995

1. Northern region: 18 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho, Amadiyah, Dohuk, Aqrah, Ayn Zalah, Tall Afar, Mosul and Irbil.

2. Southern region: 36 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Artawi, Jalibah, Busayyah, Qurnah, Nasiriyah, Salman, Samawah and Shinafiyah.

3. On 21 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0905 hours and left in the direction of Kuwait at 1040 hours.

- The second flight entered Iraqi airspace at 1115 hours and left in the direction of Kuwait at 1344 hours.

22 August 1995

1. Northern region: 52 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho, Amadiyah and Aqrah.

2. Southern region: 52 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Hamzah, Chabaish, Busayyah, Jalibah and Artawi.

3. On 22 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0912 hours and left in the direction of Kuwait at 1013 hours.

- The second flight entered Iraqi airspace at 1140 hours and left in the direction of Kuwait at 1300 hours.

23 August 1995

1. Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 44 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Jalibah, Qurnah, Artawi and Busayyah.

3. On 23 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0922 hours and left in the direction of Kuwait at 1022 hours.

- The second flight entered Iraqi airspace at 1215 hours and left in the direction of Kuwait at 1320 hours.

24 August 1995

1. Northern region: 27 sorties, flown at speeds of 600 to 900 kilometres per hour, centred over Zakho, Amadiyah, Dohuk, Mosul, Ayn Zalah, Tall Afar, Irbil and Aqrah.

2. Southern region: 37 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Jalibah, Artawi, Salman, Samawah, Busayyah, Qurnah and Qal'at Salih.

25 August 1995

1. Northern region: 13 sorties, flown at speeds of 600 to 900 kilometres per hour, centred over Dohuk, Tall Afar, Amadiyah, Aqrah, Zakho and Ayn Zalah.

2. Southern region: 48 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Shinafiyah, Busayyah, Jalibah and Chabaish.

3. On 25 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0908 hours and left in the direction of Kuwait at 1013 hours.

- The second flight entered Iraqi airspace at 1203 hours and left in the direction of Kuwait at 1210 hours.

26 August 1994

1. Southern region: 68 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, the area south of Najaf, Lasaf, Nukhayb, Shatrah, Qurnah, Chabaish, Busayyah, Jalibah and Artawi.

2. On 26 August 1995, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0915 hours and left in the direction of Kuwait at 1005 hours.

- The second flight entered Iraqi airspace at 1043 hours and left in the direction of Kuwait at 1140 hours.

- The third flight entered Iraqi airspace at 1143 hours and left in the direction of Kuwait at 1225 hours.

27 August 1995

Southern region: 79 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Qal'at Salih, Nasiriyah, Samawah, Salman and Jalibah.

28 August 1995

1. Northern region: 11 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

2. Southern region: 80 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Basra, Qurnah, Busayyah, Chabaish and Artawi.

3. At 1107 hours on 28 August 1995, a United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country and left in the direction of Kuwait at 1224 hours.

29 August 1995

1. Northern region: 6 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Dohuk, Zakho and Amadiyah.

2. Southern region: 90 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Jalibah, Artawi and Busayyah.

3. On 29 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0855 hours and left in the direction of Kuwait at 1038 hours.

- The second flight entered Iraqi airspace at 1200 hours and left in the direction of Kuwait at 1348 hours.

30 August 1995

1. Southern region: 63 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Amarah, the area south of Diwaniyah, the area south of Najaf, Qurnah and Qal'at Sukkar.

2. On 30 August 1995, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0905 hours and left in the direction of Kuwait at 1025 hours.

- The second flight entered Iraqi airspace at 0937 hours and left in the direction of Kuwait at 1213 hours.

- The third flight entered Iraqi airspace at 1150 hours and left in the direction of Kuwait at 1315 hours.

31 August 1995

1. Northern region: 12 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Aqrah and Zakho.

2. Southern region: 48 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Chabaish, Ushbayjah, Salman and Busayyah.

3. On 31 August 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in areas in the south of the country, as follows:

- The first flight entered Iraqi airspace at 0110 hours and left in the direction of Kuwait at 1055 hours.

- The second flight entered Iraqi airspace at 1205 hours and left in the direction of Kuwait at 1400 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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S/1995/766
5 September 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 5 SEPTEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you of Kuwait's position with respect to the developments that have taken place in connection with Iraq's procrastination in discharging its obligations under the Security Council resolutions relating to its aggression against the State of Kuwait since the Council's most recent review of the sanctions regime on 11 July 1995.

Iraq's record in discharging its obligations is predominantly one of desperate attempts to circumvent the resolutions of the Security Council. This is not the place to enumerate these practices, but perhaps the international community in general and the Security Council in particular can now know with greater certainty than ever before that this regime has lost its credibility and that it is not possible to place any reliance on its assertions or promises, to say nothing of the assurances it gives from time to time that it has discharged its obligations as laid down in the relevant resolutions. This can be said on the basis of the recent developments relating to the work of the Special Commission for the elimination of Iraqi weapons of mass destruction, the most important of which have been as follows:

1. Iraq's admission, after more than four years of denial, that it had an extensive biological-weapons programme for offensive purposes and that it had not been engaged in merely theoretical research in this field as it had previously claimed.

2. Iraq's claim, at the beginning of August, that it had handed over to Mr. Rolf Ekéus, Executive Chairman of the Special Commission, all of the information on this programme that had been requested.

3. The renewed invitation from the Iraqi regime to Mr. Ekéus to visit Baghdad in the middle of August in order to hand over to him new information concerning its biological programme and its programmes for other weapons of mass destruction, on the grounds that Hussein Kamel, the Minister of Industry and Mining, had concealed that information from the Special Commission. The truth, however, is that Iraq was seeking to retrieve the situation after learning that

the Special Commission had discovered in its investigations and its preliminary examination that the information was incomplete. It also wanted to forestall Hussein Kamel.

4. The provision by Iraq of significant information on its weapons programmes in the nuclear and missile fields after having claimed that it had already provided all of the relevant information in its possession and after having insisted that the files with regard to such weapons should be closed.

Although this unprecedented zeal on the part of the Iraqi regime to provide information is of benefit to the work of the Special Commission and to stability and security in the region, it nevertheless reveals in a manner that leaves no room for doubt that this regime has lost all credibility, that it cannot be trusted, that there can be no assurance that it will comply with the undertakings it has given, and that it alone is responsible for prolonging the suffering of its helpless people because of its procrastination and the evasion of its obligations.

The recent developments mentioned above, which have exposed the devious methods of the Iraqi regime and have caused it to lose credibility, lead us to suspect all of Iraq's assertions concerning the fate of the prisoners and missing persons that it has been holding in its prisons for more than four years in clear and explicit violation of the resolutions of the Security Council and of the provisions of paragraph 30 of resolution 687 (1991) in particular. The same applies to the issue of the return of stolen property, much of which remains in Iraq's possession and which it refuses to return. We have mentioned a number of such items in our previous periodic letters.

Accordingly, Kuwait urges the Security Council to make use of the recent developments that have exposed the devious methods of the Iraqi regime as a basis on which to deal with Iraq in regard to the issues of the prisoners and the return of property. It should use in resolving these two issues the same approach that led to the exposure of the methods in question, namely a firm and tenacious stance, disregard for the claims and lies of this regime and continued pressure on it. This approach has proved to be the best if not the only way to deal with Iraq and force it to comply fully with the letter and spirit of all the Security Council resolutions.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative

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S/1995/767
6 September 1995

ORIGINAL: ENGLISH

LETTER DATED 5 SEPTEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit a letter of today's date addressed to Your Excellency by the Minister of State for Foreign Affairs of the Islamic State of Afghanistan Dr. Najibullâh Lafraie (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) A. G. Ravan FARHÂDI
Ambassador
Permanent Representative

95-27019 (E) 070995 080995

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Annex

Letter dated 5 September 1995 from the Minister of State for Foreign Affairs of Afghanistan addressed to the Secretary-General

Allow me to express my best wishes to you. On behalf of the Islamic State of Afghanistan I would like to inform Your Excellency that the level of foreign interferences, particularly by Pakistan in the internal affairs of Afghanistan, aimed at overthrowing the Islamic State of Afghanistan, has now culminated to a dangerous point. It is really feared that, should the responsible international bodies, including the United Nations Security Council, fail to take serious and effective measures in relation with the present situation, the flames of war would undoubtedly spread beyond the frontiers of our country and would reach to an uncontrollable intensity, seriously endangering regional peace and stability.

As a faithful and early member of the United Nations, thoroughly respectful of United Nations principles aiming at the consolidation of international peace and determined to preserve its vital interests, the Islamic State of Afghanistan has always tried to prevent the escalation of the tensions by favouring diplomatic endeavours. Afghanistan has therefore repeatedly urged the recourse to peaceful means for the solving of armed conflicts in Afghanistan, in the course of its exchange of views with the United Nations and with the Organization of the Islamic Conference.

During the years following the establishment of the Islamic State of Afghanistan, Pakistan has unfortunately refrained from working for cooperation and mutual trust and, furthermore, has provoked the armed conflicts in Afghanistan, which are causing the killing of Afghan masses, to a dangerous climax, by giving rise to and assisting the so-called bands of "Tâleban" both with equipment and personnel, to overrun the western part of the country.

We earnestly call upon Your Excellency to undertake measures, before the time when the current conflicts take new dimensions and through your initiatives to respond positively to the millions of Afghans threatened by the perilous acts of war.

The Islamic State considers its historic and national responsibility to resolutely and firmly stand at any cost against any foreign attempt aimed at the disintegration of Afghanistan.

To justify any effective and necessary action in the future towards defending the national unity, sovereignty and the territorial integrity of the country, the Islamic State of Afghanistan requests that the present letter be circulated as a document of the Security Council.

(Signed) Najibullâh LAFRAÎE
Minister of State for Foreign Affairs

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S/1995/768
6 September 1995

ORIGINAL: ENGLISH

LETTER DATED 6 SEPTEMBER 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report, which was addressed to me on 6 September 1995 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro). This report by the Co-Chairmen contains the certification referred to in Security Council resolution 1003 (1995) of 5 July 1995.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-27008 (E) 060995 070995

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Annex

Operations of the Mission of the International Conference on the Former Yugoslavia to the Federal Republic of Yugoslavia (Serbia and Montenegro)

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 13 of Security Council resolution 988 (1995) of 21 April 1995 and paragraph 2 of Council resolution 1003 (1995) of 5 July 1995. In those resolutions, the Council requested that the Secretary-General submit every 30 days for its review, and no fewer than 10 days before 18 September 1995, a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

2. It will be recalled that, on 4 August 1994, the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to come into effect the same day:

(a) "To break off political and economic relations with the 'Republika Srpska'";

(b) "To prohibit the stay of the members of the leadership of the 'Republika Srpska' (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia";

(c) "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the 'Republika Srpska' except food, clothing and medicine."

3. On 19 September, 3 October, 2 November and 5 December 1994, and 5 January, 3 February, 2 March, 31 March, 13 April, 18 May, 25 June and 3 August 1995, the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the state of implementation of the above-mentioned measures (S/1994/1074; S/1994/1124; S/1994/1246; S/1994/1372; S/1995/6; S/1995/104; S/1995/175; S/1995/255; S/1995/302; S/1995/406; S/1995/510 and S/1995/645). The report dated 3 August 1995 contained the following certification from the Co-Chairmen:

> "In the light of the foregoing developments, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, either from the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the

Bosnian Serb forces. The Co-Chairmen also conclude that, during the period covered by the present report, there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina."

Developments since the last report are outlined below.

II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

4. The legislation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) closing the border with the Bosnian Serbs continues to be in effect.

5. The authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have provided the Mission with the following list of confiscations conducted along its border with Bosnia and Herzegovina for the month of July 1995:

Petrol	11.9 tons
Diesel	22.1 tons
Motor Oil	155 litres
Cigarettes	611 kilograms
Construction materials	4.9 tons
Wood	532 cubic metres
Alcohol	282 litres
Food	10.1 tons
Textiles, clothing, footwear	1.5 tons
Animals	14
Coffee	531 kilograms
Electrical gadgets	121 kilograms
Motor vehicles	10
Other goods	10.6 tons

6. There were 152 new offence procedures initiated during the month of July and 137 were finalized. Fines and penalties amounted to 312,450 dinars. There was a small increase over the previous month in the amount of fuel confiscated, and other categories of goods more or less remained at last month's level. The number of new offence cases, cases finalized and penalties were well above the average for the previous monthly periods.

7. Because of the regular smuggling activity across the Drina River in Sector Alpha, the Mission requested that confiscations in this sector, included in the monthly analysis, be identified separately. This revealed that 76 per cent of the fuel and 83 per cent of other goods confiscated in July along the border outside the border crossing-points occurred in Sector Alpha. These figures indicate that the authorities have taken action to stem smuggling in this high-risk area.

III. ORGANIZATION, FINANCING AND WORK OF THE MISSION

8. As of 3 September 1995, there are 196 international observers on duty in the Mission. The Mission personnel to date have come from the following countries: Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Russian Federation, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America. At this time Canada, Portugal and Spain are not represented in the Mission.

9. In addition to 17 border crossing-points, the Mission mans train stations at Uzice and Priboj on a 24-hour basis to monitor all freight trains that cross into Bosnia between Uzice and Priboj. Operational command of the Priboj train element was transferred from Sector Bajina Basta to Sector Bravo on 1 September.

10. With the increase of Mission-owned vehicles and communication equipment, the Mission has established a workshop that is manned by three car mechanics and a radio technician.

11. A budget proposal for the next six-month period starting 1 October 1995 and ending 31 March 1996 has been submitted. The overall budget figure of US$ 4,179,700 is based on increasing the size of the Mission to 250 international personnel.

12. During the time period between 6-17 August, approximately 150,000 refugees from the Krajina region were estimated to have entered from Bosnia into the Federal Republic of Yugoslavia (Serbia and Montenegro). About two thirds of them crossed at Sremska Raca (Sector Belgrade) and the rest at Badovinci, Trbusnica and Mali Zvornik (Sector Alpha). Several thousand men in "RSK" uniforms, some of them armed, crossed into the Federal Republic of Yugoslavia (Serbia and Montenegro). Their weapons and ammunition were confiscated by the authorities. Many of the Federal Republic of Yugoslavia (Serbia and Montenegro) authorities manning the border crossing-points worked extremely long hours and their frustration was sometimes, understandably, evident. The border crossing-points Badovinci and Trbusnica were not manned for some days because of security reasons as refugees were gathering at the border crossing-points in an angry and sometimes vociferous mood. While unmanned, the border crossing-points were periodically patrolled by Mission teams. After 17 August the refugee influx practically subsided and the situation at the northern part of the border returned to normal.

IV. FREEDOM OF MOVEMENT AND SECURITY OF THE PERSONNEL

13. The Mission continues to enjoy freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro). However, on 10 August a Sector Alpha mobile patrol was prevented by a Yugoslav Army (VJ) patrol from proceeding south near Ljubovija. The Mission vehicle was searched by a VJ officer. A protest was lodged on 11 August with the VJ General Staff, which later apologized to the Mission for the incident. Security concerns limited surveillance in the Tara Mountain and Jamena areas and there was a lack of VJ personnel for Mission patrols in Sector Bajina Basta.

14. On 15 August, the Mission team at Uzice train station (Sector Bajina Basta) reported the arrival of two trains with more than 2,300 refugees. An irritated crowd around the container of Mission monitors at the station posed a danger of a potential conflict. Sealing of the trains was suspended and control of the train movement was conducted by counting cars and checking transit times. The next day the train team returned to its normal modus operandi. On 18 August, two monitors were threatened by local civilians from a disco in Bajina Basta. After being notified, the police conducted an investigation.

15. After midnight on 10 August, a Mission observer was involved in a fistfight with a local man in Priboj. On 16 August, a driver from Sector Bravo was hit on the head by a man who also threatened the driver if the latter continued to drive Mission cars. The matter was reported to the police, who identified and arrested the suspect the same day. The next day a Mission interpreter was threatened with rape by some local men if she kept working for the Mission. The incident was also reported to the police.

16. On 15 August, a Mission driver in Vilusi village (Sector Charlie) was cornered by a drunken Yugoslav Army (VJ) soldier who put a knife to the driver's throat, accusing him of being a spy. Another soldier took his intoxicated colleague away. The Yugoslav Army Liaison Officer (VJLO) was informed and promised to take action.

17. On 30 August, just before midnight, there were two explosions in the vicinity of the caravans at border crossing-point Nudo (Sector Charlie). The explosions were probably caused by either dynamite or concussion grenades. They did not cause any damage or casualties. There are no indications that this was anything more than an attempt to scare the observers.

V. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE MISSION

18. Cooperation with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) has generally been good. During the influx of refugees some police and customs officers on the local level tended to distance themselves from observers. During August, the customs officers at Novi Sad on some occasions refused to use a metal probe and were reluctant to examine thoroughly bulk consignments of humanitarian aid, despite requests from Sector Belgrade observers. Following discussions between the Mission Senior Customs Adviser and the Federal Republic of Yugoslavia (Serbia and Montenegro) Deputy Director of Customs, an agreement was reached and the normal procedures of examining humanitarian aid were resumed in accordance with the standing arrangements.

VI. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

19. The operating principle of the Mission is to base its reporting and evaluations on its own observations and on information that it has verified. The Coordinator of the Mission maintained a standing request to Governments

possessing the technical capacity to provide it with information relevant to its mandate.

20. On 30 August and 1 September, the Mission received information from unspecified sources that ammunition is being loaded on trucks in different locations in Serbia and that these trucks are crossing into Bosnia at Sremska Raca. The Mission has intensified patrolling around the village of Sremska Raca and has vigilantly monitored the situation at the border crossing-point but no evidence to substantiate the above-mentioned information has been found.

VII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS MADE TO THE AUTHORITIES

21. Unarmed uniformed personnel continue to cross the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina. During the reporting period, 321 such incidents were recorded, 269 of them at Sremska Raca, not counting the "RSK" soldiers that crossed the border in uniform.

22. At Belgrade Port and Novi Sad, Mission observers in Sector Belgrade regularly refuse to seal humanitarian aid trucks when they have strong grounds for suspecting that the consignments are commercial. In effect, this prevents the loads crossing the border into Bosnia and Herzegovina. However, it is conceivable that, despite the efforts of the observers and the customs officials, some commercial consignments might get through disguised as Yugoslav Red Cross (YRC) humanitarian aid.

23. On 2 August at Sremska Raca (Sector Belgrade) two ambulances and two cars with "RS" military plates were allowed to cross into Bosnia and Herzegovina unchecked. Customs officers at the border crossing-point stated that they had been instructed by the police not to inspect them. Also, on 4 August, an ambulance crossing into Bosnia and Herzegovina was stopped but not searched. On 7 August, a Belgrade-registered taxi was initially denied entry into Bosnia and Herzegovina by Federal Republic of Yugoslavia customs officers for carrying 100 litres of fuel in two containers. After a short wait away from the border crossing-point the taxi was allowed to cross, although the fuel had not been unloaded. On 18 August, also at the border crossing-point at Sremska Raca, an inspection of a loaded truck revealed an estimated 6,000 litres of fuel in drums in the load compartment. The vehicle was impounded and customs offence action was taken against the driver.

24. At Sremska Raca on 10 August, a train (diesel engine and four carriages) was seen heading south on the line behind the border crossing-point. Traffic was stopped at the road/rail bridge and the train crossed the border heading towards the town of Bijeljina in Bosnia and Herzegovina. Later that day the train returned north across the border into the Federal Republic of Yugoslavia (Serbia and Montenegro). This railway line had not been used since the formation of the Mission. The Federal Republic of Yugoslavia (Serbia and Montenegro) authorities explained that the train was sent from Sid to Bijeljina to collect refugees who had no transport. The train crossed into Bosnia and Herzegovina again at 1940 hours on 10 August and returned the next day at

1245 hours with eight passenger carriages and some flat-bed freight wagons. These crossings are reported as violations of the border closure as the Mission observers were unable to check the carriages. On 12 August at 0020 hours a train crossed to Bosnia and Herzegovina and returned to the Federal Republic of Yugoslavia (Serbia and Montenegro) at 0300 hours. On both occasions the Mission team checked the carriages. Another train movement took place at 1115 hours outbound and 1345 hours inbound. On these occasions the team was not able to check the train.

25. Smuggling of fuel continues across the Drina River north of Trbusnica (Sector Alpha), especially in the vicinity of Lesnica. The Mission's mobile patrols have on several occasions detected barrel tracks and evidence of spilt fuel on the ground at the river's edge. Numerous empty barrels and 20-50 litre fuel containers have also been detected. On 22 August, the Sector patrol in the area north of the border crossing-point at Trbusnica reported evidence of fuel being smuggled in drums on boats across the Drina River. Federal Republic of Yugoslavia (Serbia and Montenegro) customs authorities were notified of the violation. On 23 August, a Sector Alpha mobile patrol 4 kilometres north of Trbusnica observed a boat with an outboard motor and loaded with large container-like objects camouflaged with leaves and branches. A few hours later the patrol observed a smaller boat on which was loaded a large number (approximately 40) of cardboard boxes and some canisters. The boat crossed to the "RS" side of the river. On 23 August, in the Citluk area, two boats crossed the River Drina and unloaded their cargo to a truck waiting on the "RS" side. The Mission Senior Customs Adviser met on 25 August with the Deputy Director of the Federal Republic of Yugoslavia (Serbia and Montenegro) customs and discussed the fuel smuggling along the Drina, pointing out the apparent lack of effort by the military and the special police to control it. On 28 August, a letter was sent to the Federal Republic of Yugoslavia (Serbia and Montenegro) customs providing some details of the findings of Sector Alpha mobile patrols. On 1 September, the Mission Coordinator and his Senior Customs Adviser met with the Director General of the Federal Customs Administration to express his serious concerns about the smuggling along the Drina. The Federal Republic of Yugoslavia customs authorities were fully aware of the situation and promised that joint customs, police and military teams will do their utmost to close that part of the border more effectively.

26. After having been curbed for a while, the problem of "ant trade" resurfaced in August, especially at the border crossing-point Badovinci (Sector Alpha), where bicycles are crossing carrying cement and beer. During the Mission Coordinator's meeting with the Director General of Federal Republic of Yugoslavia (Serbia and Montenegro) Customs on 1 September, it was indicated that the bicycle traffic will be reduced significantly.

27. On 21 August, observers at the border crossing-point Badovinci reported that 20 Federal Republic of Yugoslavia (Serbia and Montenegro) policemen armed with assault rifles crossed the border into Bosnia and Herzegovina. They returned two hours later and Federal Republic of Yugoslavia authorities explained to observers that there had been a problem with some "RSK" soldiers that they had had to handle.

28. During August tension increased in the Tara mountains in Sector Bajina Basta, where refugee soldiers of the Army of Bosnia and Herzegovina were alleged to have crossed the border from eastern Bosnia. Mission-patrolling was restricted in the area for security reasons.

29. At Kotroman on 3 August during the night, three vehicles, one of them an ambulance, were allowed to cross into Bosnia and Herzegovina unchecked.

30. In Sector Bravo two new river fords were detected two kilometres north of Uvac. The level of the River Lim is low and it is clear that a few small vehicles crossed the river because of the evidence of tracks on both sides of the river. Mission and VJ patrols will observe the new crossings.

31. At Sula on 1 August, two vehicles filled with goods were allowed to cross into Bosnia and Herzegovina without checking. On 31 August at the same border crossing-point, a bus was allowed to cross into Bosnia and Herzegovina without being checked.

32. At Scepan Polje (Sector Charlie) on 31 July, a vehicle was turned back for carrying excess fuel. The car returned to the village about 300 metres from the border crossing-point. The customs and police officers then looked the other way when the driver and passenger carried four jerrycans to the border down by the river. Afterwards the officers allowed the vehicle to pass to Bosnia to retrieve the illicit cargo on the other side of the checkpoint.

33. At Vracenovici on 2 August, one car containing excess commercial goods was allowed to cross into Bosnia and Herzegovina. On 26 August at Vilusi, a truck loaded with foodstuffs - claimed to be humanitarian aid - was allowed to cross into Bosnia and Herzegovina although it had not been checked and sealed by customs/Mission teams in advance and had no proper documentation.

34. On five separate occasions uniformed policemen and soldiers were allowed to cross the border in Sector Charlie carrying their sidearms: these incidents occurred on 1 and 19 August at Vilusi, on 2 August at Vracenovici, on 19 August at Vilusi and on 19 and 22 August at Scepan Polje.

35. On 21 August, a helicopter was seen crossing the border in the vicinity of Nudo. The investigation revealed that the helicopter was privately owned locally. Probably the same helicopter crossed the border from Bosnia and Herzegovina on 1 September.

VIII. CERTIFICATION

36. In the light of the foregoing developments, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, either from the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina

under the control of the Bosnian Serb forces. The Co-Chairmen also conclude that there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina.